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September 13, 1986

Lieutenant General Leonard H. Perroots, USA
Director, Defense Intelligence Agency
Department of Defense
Washington, D.C. 20301

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Dear General Perroots:

The talking point paper "Impact of Congress on DIA End Strength." apparently prepared by the General Defense Intelligence Program staff and provided to me expresses concern that the Senate versions of the FY 1987 defense authorization bill and the DOD reorganization bill will have a direct and undesirable impact on the personnel strengths of DIA and other DOD NFIP elements. To remedy this problem and avoid similar problems in the future, the paper suggests enactment of legislation, similar to Section 6 of the CIA Act of 1949 (50 U.S.C 403g) and Section 6 of the NSA Act of 1959 (50 U.S.C 402 note), to exempt DIA and other DOD NFIP elements from any law requiring the publication or disclosure of the names, titles, salaries and numbers of persons employed by or assigned to those elements.

The problem the paper identifies and the proposed solution do not match. The proposed "Section 6 equivalent" legislation would not exempt DIA and DOD NFIP elements from the end-strength provisions of the annual defense authorization acts. Civilian personnel employed by NSA do not count against DOD authorization acts because the end-strength provisions in those acts traditionally state that NSA civilian personnel will not be counted. Absent that traditional NSA non-counting provision, NSA civilian personnel would count against the end-strength; Section 6 of the NSA Act would not exempt NSA civilian personnel from being counted against the defense authorization act end-strength. Nor would the Section 6 equivalent legislation proposed in the talking point paper have that effect for DIA and other DOD NFIP elements.

The proposed Section 6 equivalent legislation may have certain benefits, but solving the DIA/DOD NFIP end-strength problem outlined in the talking point paper is not among them.

As you know from the Committee leadership's letter to Armed Services Committee Chairman Aspin of August 12, 1986 on the DOD reorganization bill, the Committee believes that Congress should not impose significant personnel reductions at DIA of the type contemplated by that bill at the same time that Congress presses DIA to expand its functions. The Committee undoubtedly will continue to hold that position during the FY 1988 budget cycle and act accordingly.

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We look forward to continuing to work with you to ensure that DIA and other DOD NFIP elements receive the resources they need to perform their important missions.

Sincerely,



Bob Stump
Ranking Minority Member

enclosures: (1) "Impact of Congress on DIA End Strength"
(2) Letter to Chairman Aspin, August 12, 1986

IMPACT OF CONGRESS ON DIA END STRENGTH

1. Senate Armed Services - FY87 DoD Authorization

- Freeze DoD Civilian End Strength to FY85 Level:

	<u>FY86</u>	<u>FY87</u>	<u>Total</u>
DIA	-67 spaces	-465 spaces	-532
NSA	Exempt (PL 86-36, 50 U.S.C 402)		
CIA	Not applicable (Civ not in DoD End Strength)		

- DoD Reorganization:

Mandates reduction of all Defense Agencies

30 Sept 88 - 10% cut in manpower

30 Sept 89 - 15% cut in manpower

Defense Agencies

DIA	-1,400 (worst case)
NSA	Exempt (PL 86-36, 50 U.S.C 402)
CIA	Not applicable (Civ not in DoD End Strength)

2. House Intelligence Committee:

GDIP

- Reduces GDIP manpower - 516 civilian spaces of the 640 requested spaces (DIA share of above cut is approximately 300 civilian out of 371 requested)

3. House Armed Services - FY87 DoD Authorization (HR 4428)

- Passed House on Aug 15, 1986
- Awaiting Conference Action

4. House Armed Services - DoD Reorganization (HR 3622)

- Passed House Nov. 20, 1985
- Awaiting Conference Action

5. Comments:

- General Defense Intelligence Program (DIA is part of GDIP) will be severely impacted FY86-89 as a result of DoD reorganization.
- NSA exempted and CIA not impacted.
- Which means that the collectors not impacted, but military intelligence producers take severe cuts.
- Suggest need for legislation giving the General Defense Intelligence Program the same employment disclosure exemptions that NSA and CIA have. Suggested language:
 - In addition to exemptions provided for the National Security Agency in PL 86-36, 50 U.S.C 402, exempt all other DoD agencies, units, and activities in the National Foreign Intelligence Program from all requirements to disclose the names, titles, salaries, and number of persons employed by or assigned to them.
- House unclassified Intelligence Bill has not yet gone to floor.
- Language could be placed in Armed Services conference Bills, or Intelligence Bill, or in both Bills.

Suggested Language:

- In addition to exemptions provided for the National Security Agency in PL 86-36, 50 U.S.C 402, exempt all other DoD agencies, units, and activities in the National Foreign Intelligence Program from all requirements to disclose the names, titles, salaries, and number of persons employed by or assigned to them.

U.S. HOUSE OF REPRESENTATIVES

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ON INTELLIGENCE

WASHINGTON, DC 20515

August 12, 1986

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Honorable Les Aspin
Chairman
Committee on Armed Services
2120 Rayburn House Office Building
Washington, D. C. 20515-6035

Dear Mr. Chairman:

The Permanent Select Committee on Intelligence is directly concerned with four intelligence-related issues in the conference on H.R. 3622, the Department of Defense Reorganization Act of 1986. The four issues are (1) retention of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence; (2) the potential reduction in personnel of the Defense Intelligence Agency and the Defense Mapping Agency; (3) the elimination of reporting requirements; and (4) the transmission of a national security strategy report. On all these issues, we urge the House conferees to remain with the position taken by the House in adopting H.R. 3622.

The first issue is retention of the existing centralized intelligence role for the Assistant Secretary of Defense for Command, Control, Communications and Intelligence (ASD/C³I). Section 136(b)(5) of Title 10, United States Code, establishes the ASD/C³I position and assigns as his principal duty the overall supervision of command, control, communications, and intelligence affairs of the Department of Defense. The House version of H.R. 3622 does not change this provision of law. Section 107(1)(C) of the Senate version of the bill would eliminate the statutory ASD/C³I position. The office of the ASD/C³I ensures coordinated and effective use of scarce resources to meet the diverse intelligence needs of Department of Defense components and facilitates immensely the intelligence oversight, authorization, and appropriations functions of the Congress. We urge the House conferees to remain with the House position and retain the provision of current law which establishes the ASD/C³I position.

The second issue of concern is the potential reduction in personnel of the Defense Intelligence Agency and the Defense Mapping Agency. Section 117 of the Senate version of H.R. 3622 requires reduction by 15 percent of the personnel assigned to management headquarters activities and support activities in the defense agencies, and a 10 percent reduction in the other personnel of the defense agencies, by the close of Fiscal Year 1988. The House version of the bill contains no similar requirement. We defer to the

judgment of the conferees on whether the Senate provision is desirable as a general matter, but if the conferees adopt the Senate provision, we urge that it be modified by adding the Defense Intelligence Agency and the Defense Mapping Agency in Section 117(e) as exempt from the reductions, along with the current exemption for the National Security Agency. The Permanent Select Committee on Intelligence believes that DIA and DMA cannot perform their essential intelligence and mapping functions -- functions the Congress has pressed them to expand -- if they sustain a 15 percent reduction in their headquarters personnel and a 10 percent cut in their other personnel.

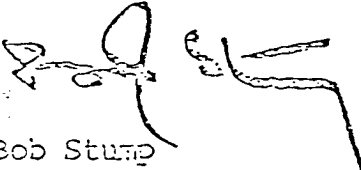
The third issue is the elimination of reporting requirements. Section 503 of both the House and Senate versions of the bill eliminate all reporting requirements levied upon the Department of Defense in Title 10 of the United States Code, or in DoD funding statutes, unless Section 503 specifically cites the reporting requirement as remaining in effect. The two versions of the legislation differ somewhat on the reports retained. The Permanent Select Committee on Intelligence urges the conferees to ensure that the final version of this provision retains in force the intelligence-related reporting requirements preserved by Section 503(d)(84) and (85) of the House version of the bill. We emphasize particularly the importance of retaining the formulation of Section 503(d)(84) contained in the House version over the corresponding provision in the Senate version, because only the House formulation preserves the requirement for advance notice to the intelligence committees of Congress of intelligence reprogrammings, transfers and reserve releases in accordance with Title V of the National Security Act of 1947.

The fourth and final issue is the national security strategy report required by the Section 502 of the Senate version of the bill and Section 501 of the House version. The Senate version provides that only the armed services and foreign affairs committees of Congress receive the report; the House version adds to the list of committees receiving the report the intelligence committees. Because of the responsibility of the intelligence committees for ensuring the availability of the resources necessary to support the nation's security strategy, we believe we ought to receive the report.

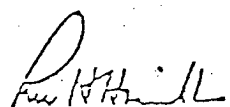
We appreciate very much your efforts to ensure that the conference reflects the concerns of the Permanent Select Committee on Intelligence.

With best wishes,

Sincerely yours,



Bob Stump
Ranking Minority Member



Lee H. Hamilton
Chairman

cc: Honorable William L. Dickinson
Honorable Bill Nichols
Honorable Larry Hopkins